



JUL - 3 2008

**NOT ENDORSED**

United States Attorney  
Southern District of New York

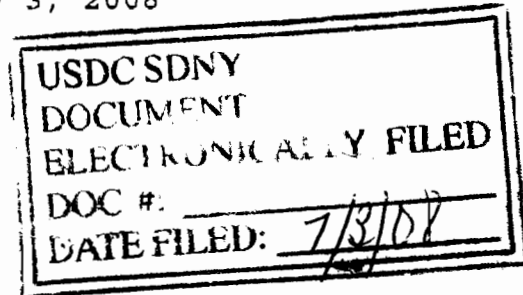
80 Chambers Street  
New York, New York 10007

July 3, 2008

**BY FAX**

Hon. Theodore H. Katz  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street, Room 1660  
New York, New York 10007-1312

Re: Jose Sanchez v. Astrue  
07 Civ. 9318 (DAB) (THK)



Dear Judge Katz:

This Office represents the Commissioner of Social Security, defendant in this action. I write respectfully to advise the Court of recent events and to request an extension of time to file defendant's response and cross-motion.

Pursuant to the Court's order of June 24, 2008, defendant's motion is due today, July 3, 2008, plaintiff's response is due July 25, 2008, and any reply is due August 1, 2008. While preparing the Government's motion, I discovered an issue that required me to contact the Agency. As a result, the Commissioner is reconsidering his position in this case. Accordingly, I respectfully request a thirty-day extension of time to file defendant's brief, until August 4, and accordingly, a thirty-day extension of plaintiff's time to file his response, to August 25, 2008, and any reply will be due September 2, 2008. This is the government's third request for an extension. Plaintiff has kindly consented to this request.

Thank you for your consideration of this matter.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

*Susan C. Branagan*  
By: Susan C. Branagan  
SUSAN C. BRANAGAN  
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**SO ORDERED**

By:

**THEODORE H. KATZ****UNITED STATES MAGISTRATE JUDGE**

cc: Christopher J. Bowes, Esq.  
By Fax

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TOTAL P.02